

SUMMARY REPORT DIGEST

CHICAGO POLICE DEPARTMENT

COMPLAINT LOG NO.

1063989

TYPE

C.R.

DATE OF REPORT (Day-Mo.-Yr.)

17 MAY 14

INSTRUCTIONS: To be used in all cases that are to be classified as either **EXONERATED, UNFOUNDED, NOT SUSTAINED**, or in **SUSTAINED** cases where the Disciplinary Recommendation does not exceed **FIVE (5) DAYS SUSPENSION**. SUBMIT ORIGINAL AND 3 COPIES IF ASSIGNED TO SAME UNIT AS ACCUSED. SUBMIT ORIGINAL AND 4 COPIES IF NOT ASSIGNED TO SAME UNIT AS ACCUSED.

TO: ☐ CHIEF ADMINISTRATOR,
INDEPENDENT POLICE REVIEW AUTHORITY

☒ CHIEF,
BUREAU OF INTERNAL AFFAIRS

FROM -INVESTIGATOR'S NAME

UDING, Bryon S.

RANK

Sgt.

STAR NO.

2162

EMPLOYEE NO.

[REDACTED]

UNIT ASSIGN.

011

UNIT DETAILED

REFERENCE NOS. (LIST ALL RELATED C.L., C. B., I.R., INVENTORY NOS., ETC., PERTINENT TO THIS INVESTIGATION)

R.D. Number - [REDACTED] Property Inventory Number [REDACTED]

ADDRESS OF INCIDENT

33 [REDACTED] W. Chicago Ave.

DATE OF INCIDENT -TIME

02 AUG 14

1630

BEAT OF INCIDENT

1121

ACCUSED

NAME	RANK	STAR NO.	EMPLOYEE NO.	UNIT ASSIGN.	UNIT DETAILED
1. CUNNINGHAM, Aaron B.	P/O	10758	[REDACTED]	011	
2. LACEY, Brian P.	P/O	18494	[REDACTED]	044	411
3. LAKIS, Dean N.	P/O	15979	[REDACTED]	044	412
SEX/RACE	D.O.B.	DATE OF APPOINTMENT	DUTY STATUS (TIME OF INCIDENT)		
1. M / 2	[REDACTED] 67	29 JUN 98	<input checked="" type="checkbox"/> ON DUTY <input type="checkbox"/> OFF DUTY	<input checked="" type="checkbox"/> SWORN <input type="checkbox"/> CIVILIAN	
2. M / 2	[REDACTED] 89	30 NOV 12	<input checked="" type="checkbox"/> ON DUTY <input type="checkbox"/> OFF DUTY	<input checked="" type="checkbox"/> SWORN <input type="checkbox"/> CIVILIAN	
3. M / 2	[REDACTED] 81	30 NOV 12	<input checked="" type="checkbox"/> ON DUTY <input type="checkbox"/> OFF DUTY	<input checked="" type="checkbox"/> SWORN <input type="checkbox"/> CIVILIAN	
IF APPLIES, DATE ARRESTED/INDICTED		CHARGES	COURT BRANCH	DISPOSITION & DATE	
1.					
2.					
3.					

COMPLAINANT

NAME	ADDRESS**	CITY	STATE	TELEPHONE	SEX/RACE	D.O.B./AGE
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	M / 6	[REDACTED] 89 / 24

VICTIMS

NAME	ADDRESS**	CITY	STATE	TELEPHONE	SEX/RACE	D.O.B./AGE

WITNESSES

NAME	ADDRESS**	CITY	STATE	TELEPHONE	SEX/RACE	D.O.B./AGE
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	M / 6	[REDACTED] 84 / 29

☒ SEE ATTACHED SHEET FOR ADDITIONAL ACCUSED, COMPLAINANTS, VICTIMS, WITNESSES.

**IF CPD MEMBER, LIST RANK, STAR, EMPLOYEE NOS. IN ADDRESS, PAX/BELL IN TELEPHONE BOX.

ALLEGATIONS

The complainant alleged that on 02 AUG 13, at approximately 1630 hours, at 33 [REDACTED] W. Chicago Ave. [REDACTED] that a white male civilian dressed Department member in an unmarked vehicle, (the accused police officer) searched the business without justification and failed to inventory or return a registered weapon.

Briefly summarize the investigation describing your efforts to prove or disprove the allegation(s). Indicate whether witnesses or evidence support or do not support the allegation(s).
In sustained cases ONLY, copies of the accused member's Summary of Previous Disciplinary Actions and Record of Previous Complimentary History will be included as attachments.

The complainant asserts that a male white civilian dressed Department member, in an unmarked vehicle, searched a business without justification and failed to inventory or return a registered weapon (Attachment 1). The nature of the complaint constitutes a violation of Rule 6 - Disobedience of an order or directive, whether written or oral, in that the Department's directives, specifically General Order 07-02 requires firearms taken into custody by Department members be inventoried.

A preliminary investigation was initiated by the undersigned, which determined that an Original Case Incident Report was generated on the date in question (02 August 2013) under Records Division Number [REDACTED] (Attachment 17). The report documents that the firearm was in plain sight in the business establishment and taken into custody (Attachments 17 & 18). A statement by the complainant and owner of the firearm, [REDACTED] that he kept the gun visible next to the cash register to deter would be robbers corroborates the representation made in the report (Attachment 23). Further investigation determined that the firearm was inventoried by the Accused Police Officer on the date of occurrence, 02 August 2013, and was Clear and Unregistered, under Property Inventory Number [REDACTED] (Attachment 19). Investigation determined there was one civilian dressed police officer and four uniformed officers on the scene (Attachment 24).

The Face Sheet sets forth that the complainant was [REDACTED]. However, it was determined by investigation that the person lodging the complaint had left the state (Attachments 21 and 22). It was further determined by investigation, that the person listed as an other involved party, [REDACTED] was, in fact, the person with standing and was properly the complainant (Attachment 22).

On 23 October 2013 at approximately 1320 hours, [REDACTED] executed a Sworn Affidavit For Complaint Register Investigation and consented to be interviewed and express his concerns about the incident. During the interview the complainant, [REDACTED] was presented a citizen copy of Property Inventory Number [REDACTED]. At the conclusion of the interview, which lasted approximately 20 minutes, [REDACTED] related he was satisfied with the conduct of the officers involved and stated he no longer wished to pursue the disciplinary investigation (Attachment 23).

To that end, [REDACTED] executed a Letter of Voluntary Termination of Complaint Register Investigation, which is included in the investigative packet (Attachments 3 and 23).

It has been determined through investigation that the allegation set forth was false. The firearm was inventoried in accordance with the Department's written directives (Attachments 17, 18, 19 and 23).

At the closing of this investigation the complainant in this matter Ahmad [REDACTED] withdrew the complaint made in his behalf in writing (Attachments 3 and 23).

SUMMARY

ATTACH-
MENTS

INVESTIGATIVE REPORTS-
SUPPORTING ALLEGATION
LIST ATTACHMENT NUMBERS:

1

INVESTIGATIVE REPORTS-
SUPPORTING ACCUSED MEMBER(S)
LIST ATTACHMENT NUMBERS:

17, 18, 19 and 23

PHYSICAL EVIDENCE LIST
ATTACHMENT NUMBERS:

2 and 3

TOTAL NUMBER OF ATTACHMENTS
SUBMITTED WITH THIS FILE:

26

Summarize the findings and recommendations. Rule violations will be cited by number only. One overall recommendation for Disciplinary Action will be made by the investigator. The recommendation will be for ALL sustained findings; recommendations will NOT be made for each sustained allegation. Example: 1. Violation noted, no disciplinary action warranted. 2. That the accused member be reprimanded. 3. That the accused member be suspended for --- days (not to exceed 5 days).

FINDINGS AND RECOMMENDATIONS REGARDING ALL ACCUSED MEMBERS:

Per Special Order 08-01 (its included Addendum), based upon a thorough investigation of an unsupported allegation with evidence to the contrary and the written withdraw of the complaint by the complainant, as highlighted above and supported by the reports submitted, herein, the investigation has been concluded with the following determination:

Allegation: It is alleged that on 02 AUG 13, at approximately 1630 hours, at 33 [REDACTED] W. Chicago Ave. [REDACTED] that a white male civilian dressed Department member in an unmarked vehicle, (the accused police officer) searched the business without justification and failed to inventory or return a registered weapon.

Violation: RULE 6 - Disobedience of an order or directive, whether written or oral, in that the Department's directives, specifically General Order 07-02 requires firearms taken into custody by Department members be inventoried.

Finding: UNFOUNDED

Recommendation: No Disciplinary Action - All Accused Police Officers.

FINDINGS - RECOMMENDATIONS

DATE INITIATED (Date complaint was received for investigation)

19 AUG 13

DATE COMPLETED (Date of this report)

17 MAY 14

ELAPSED TIME (Total time expressed in days)

270

Investigator will initiate the Command Channel Review form by completing the Investigator's Section.

INVESTIGATOR

SUMMARY REPORT DIGEST – Continuation Sheet

Complaint Log Number 1063989 Type: C.R.

Date: 17 MAY 14

Additional Accused Chicago Police Officer(s) Listing:

Accused #4

SANTIAGO, Jenny M. Police Officer Star # 7985 Emp. # [REDACTED] Unit # 044

F / 2 DOB: [REDACTED] 87 DOA: 31 OCT 12 On Duty & Sworn

Accused #5

LOHSE, William A. Police Officer Star #5260 Emp. # [REDACTED] Unit# 011

M / 6 DOB: [REDACTED] 80 DOA: 27 NOV 06 On Duty & Sworn

Complaint Register List of Attachments – Log Number 1 063 989

ATTACHMENT	DESCRIPTION
-	List of Attachments
1	Complaint Against Department Member – Complaint Register Face Sheet
2	SIGNED Sworn Affidavit for Complaint Log Investigation
3	SIGNED Letter of Voluntary Termination of C.R. Investigation
4	Notification: Automated Complaint (CPD-44.217) – UDING
5	Notification: Automated Complaint (CPD-44.217) – CUNNINGHAM
6	Notification: Automated Complaint (CPD-44.217) – LACEY
7	Notification: Automated Complaint (CPD-44.217) – LAKIS
8	Notification: Automated Complaint (CPD-44.217) – SANTIAGO
9	Notification: Automated Complaint (CPD-44.217) – LOHSE
10	Notification: Automated Complaint (CPD-44.217) – [REDACTED]
11	Notification: Automated Complaint (CPD-44.217) – [REDACTED]
12	Notification: Automated Complaint (CPD-44.217) – [REDACTED]
13	Request For Time Extension (CPD-44.114)
14	Assignment Report
15	Reassignment Report
16	Reassignment Report
17/17A	Preliminary Investigation – Part 1 – Original Case Incident Report Support Documentation – R.D. Number – [REDACTED]
18	Preliminary Investigation – Part 2 – Documented Actions
19	Preliminary Investigation – Part 3 – Property Inventory Support Documentation – Property Inventory Number [REDACTED]
20	Preliminary Investigation – Part 4 – Identity of Accused Officer
21	Complainant Contact – Part 1 – [REDACTED]
22	Complainant Contact – Part 2 – Complainant Determination
23	Complainant Contact – Part 3 – Interview [REDACTED]
24	Preliminary Investigation – Part 5 – Identity of Additional Officers
25	Investigative Summary Report – Closing Report
26/26A	Request For Time Extension (CPD-44.114)